

<b>FIREMAN'S FUND AGRIBUSINESS, INC.,</b>	)	<b>AGBCA No. 2004-167-F</b>
(Manager's Bulletin 98-031)	)	
	)	
Appellant	)	
	)	
<b>Representing the Appellant:</b>	)	
	)	
R. Jefferson Allen, Esquire	)	
Henke Bufkin	)	
P.O. Box 39	)	
Clarksdale, Mississippi 38614	)	
	)	
<b>Representing the Government:</b>	)	
	)	
David M. Stauss, Esquire	)	
Office of the General Counsel	)	
U. S. Department of Agriculture	)	
101 South Main Street, Suite 351	)	
Temple, Texas 76501-7686	)	

### **DECISION OF THE BOARD OF CONTRACT APPEALS**

December 15, 2004

**Before POLLACK, VERGILIO, and WESTBROOK, Administrative Judges.**

#### **Opinion for the Board by Administrative Judge VERGILIO.**

On May 21, 2004, the Board received a notice of appeal from Fireman's Fund AgriBusiness, Inc., of Overland Park, Kansas (the insurance company), disputing a decision by the Government, the U. S. Department of Agriculture, Risk Management Agency (RMA), denying financial litigation assistance under Manager's Bulletin 98-031, for the involvement of the insurance company in litigation concerning Valley Watermelon Farms.

In filing this matter, the insurance company references regulation, 7 CFR 400.169(d), as the basis for this Board's jurisdiction. After the submission of the appeal file and a supplement, and an initial complaint, and telephone conferences involving the Board and parties, the parties agreed to proceed without further filings (that is, no amended complaint or answer).

By letter dated December 14, 2004, the insurance company informed the Board that the parties have reached a settlement; the parties request a dismissal of this matter from the Board's docket.

### **DECISION**

Based upon the request, this matter is dismissed with prejudice.

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**JOSEPH A. VERGILIO**

Administrative Judge

Concurring:

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**HOWARD A. POLLACK**

Administrative Judge

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**ANNE W. WESTBROOK**

Administrative Judge

**Issued at Washington, D.C.  
December 15, 2004**